



**WHEREAS**, the Adirondack Park Agency (“Agency”) is authorized to adopt, amend and repeal rules and regulations pursuant to Executive Law § 804(9) and Environmental Conservation Law §§ 15-2709 and 24-0801; and

**WHEREAS**, any rule making undertaken by the Agency must be done in accordance with the State Administrative Procedure Act (“SAPA”); and

**WHEREAS**, pursuant to SAPA § 202(a), prior to the adoption of a rule the Agency is required to submit a notice of proposed rule making to the Secretary of State for publication in the State Register and to afford the public an opportunity to comment on the proposed rule; and

**WHEREAS**, as detailed in the attached summary, the Agency seeks to undertake a rule making for a *consensus rule*, as defined in SAPA § 102(11), that will update citations, make technical corrections, clarify language, and repeal obsolete language in its existing rules set forth in 9 NYCRR, Subtitle Q; and

**WHEREAS**, pursuant to SAPA § 201-a(2)(a), the proposed *consensus rule* will not have any measureable impact on jobs and employment opportunities because it does place any new or increased regulatory burden on any person; and

**WHEREAS**, SAPA § 202(1)(b)(i) authorizes the Agency to undertake a more expedited rule making process for a *consensus rule* and to file and adopt it pursuant to SAPA § 202(5) after the expiration of the public comment period so long as there has been no objection to adoption of the proposed rule.

**NOW, THEREFORE, BE IT RESOLVED** that:

- I. Pursuant to SAPA § 202(a), Agency staff shall submit a notice of proposed rule making for the *consensus rule* to the Secretary of State for publication in the State Register and afford the public a 45-day period to submit comments on the proposed rule.
- II. If no objections to the adoption of the *consensus rule* are received during the public comment period, Agency staff shall file the *consensus rule* with the Secretary of State and submit a notice of adoption to the Secretary of State for publication in the State Register pursuant to SAPA § 202(5). In addition, Agency staff shall provide copies of the proposed *consensus rule* package to designated parties in accordance with SAPA §§ 201-a and 202(6-a).

Resolved and adopted by the Agency on this 13<sup>th</sup> day of June, 2013.

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Leilani Crafts Ulrich  
Chairwoman